

Remarks

The Applicant respectfully requests entry of the foregoing amendments and reconsideration of the application in view of the amendment above and the remarks below.

At the outset, the undersigned would like to express appreciation to Examiner Hines for the telephone discussions regarding this application, including the telephone discussion regarding the rejection of claim 63.

The claims are definite

Claims 44-72 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

Independent claim 44 has been amended to recite, for example, “calculating the amount of the first monitor peptide in the biological sample.” Independent claims 61 and 67 have been amended to include similar limitations. Accordingly, it is respectfully submitted that the goals of the preambles of such claims is commensurate with the steps of the methods.

Independent claims 44, 61, and 67 have been amended to clarify the interaction of the binding agents and/or antibodies with the peptides. It is respectfully submitted that the claims as currently amended are sufficiently clear.

The language “at least some of the bound peptides from at least some of the unbound peptides” has been removed from the claims, including from independent claims 44, 61, and 67. Thus, it is respectfully submitted that the claims as currently amended are sufficiently clear.

Claim 67 has been amended to remove the recitation of “the mixture.” Claims 66 and 68-70 have been canceled. Thus, the objections to such claims have been mooted.

It is respectfully submitted that all of the objections to the claims have been overcome and it is requested that such objections be withdrawn.

The claims are patentable

Independent claims 44, 61 and 67 have been amended to include the subject matter of claims 50, 63, and 69, respectively. Specifically, such claims have been amended to recite, for example as recited in claim 44, "the first binding agent being a polyclonal antibody." The Applicant submits that independent claims as amended are patentably distinct from the prior art, including the Geng reference (J. of Chromatography A, 2000, Vol. 870: page 295-313) and the Zhao reference (PNAS, 1996, Vol. 93:4020-4024) alone or in proper combination.

The Applicant notes that claims 50 and 69 were not rejected in view of the prior art. The Applicant also notes that the Examiner indicated during the telephone discussion that claim 63 should not have been rejected in view of the prior art, as such claim includes subject matter that is similar to the subject matter in claims 50 and 69.

The Applicant respectfully submits that each of the pending claims which depend from the independent claims (claims 44, 61, and 67) are allowable at least because of their dependence from the independent claims (which are allowable for at least the reasons set forth above).

Conclusion

All of the stated grounds of objection and rejection have been overcome. The Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that such rejections be withdrawn. The Applicant believes that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that further personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

The Director is hereby authorized to charge any appropriate fees under 37 CFR §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

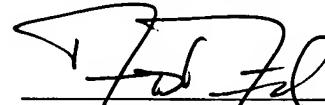
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Respectfully submitted,
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